

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

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OCT. 14. 2004

HARA KENZO PATENT

PCT

To:
HARA, Kenzo

**HARAKENZO WORLD PATENT &
TRADEMARK PATENT LAW FIRM,
Daiwa Minamimorimachi
Building, 2-6, Tenjinbashi
2-chome Kita, Kita-ku
Osaka-shi Osaka 530041 Japan**

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

Date of mailing
(day/month/year)

12.10.2004

Applicant's or agent's file reference 0405		FOR FURTHER ACTION See paragraph 2 below	
International application No. PCT/JP2004/009242	International filing date (day/month/year) 23.06.2004	Priority date (day/month/year) 24.06.2003	
International Patent Classification (IPC) or both national classification and IPC Int.Cl' C08L101/14, C08K 3/10, A61F 13/53, A61L 15/60			
Applicant NIPPON SHOKUBAI Co., Ltd.			

1. This opinion contains indications relating to the following items:

- Box No. I Basis of the opinion
- Box No. II Priority
- Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- Box No. IV Lack of unity of invention
- Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- Box No. VI Certain documents cited
- Box No. VII Certain defects in the international application
- Box No. VIII Certain observations on the international application

2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/JP Japan Patent Office 3-4-3, Kasumigaseki, Chiyoda-ku, Tokyo 100-8915, Japan	Authorized officer Nakagawa Junko Telephone No. +81-3-3581-1101 Ext. 3493	4J 2940
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WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/JP 2004/009242

Box No. I Basis of the opinion

1. With regard to the **language**, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
 This opinion has been established on the basis of a translation from the original language into the following language _____, which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).
2. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
 - a. type of material
 - a sequence listing
 - table(s) related to the sequence listing
 - b. format of material
 - in written format
 - in computer readable form
 - c. time of filing/furnishing
 - contained in the international application as filed.
 - filed together with the international application in computer readable form.
 - furnished subsequently to this Authority for the purposes of search.
3. In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

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**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.

PCT/JP2004/ 009242

Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	<u>1-15</u>	YES
	Claims		NO
Inventive step (IS)	Claims	<u>15</u>	YES
	Claims	<u>1-14</u>	NO
Industrial applicability (IA)	Claims	<u>1-15</u>	YES
	Claims		NO

2. Citations and explanations

Document 1.JP 2001-096151 A (Nippon Shokubai Co., Ltd.) 2001.04.10

Document 2.JP 2001-098170 A (Nippon Shokubai Co., Ltd.) 2001.04.10

The subject matter of claim 1-14 does not appear to involve an inventive step in view of the document 1 cited in the ISR and the document 2 cited in the same.

D1 discloses a water absorbent resin composition consisting of a particulate water absorbent resin, and a multivalent metal component.

The particulate water absorbent resin which is regarded to fall within the definition 'a particulate water absorbent resin (A)' in the present Claim 1 appears to be known from D2.

In view of the description of D2, the skilled person would regard it as a normal option to include that the particulate water absorbent resin being cross-linked in a vicinity of a surface of the water absorbent resin instead of the particulate water absorbent resin in D1 in order to solve the problem posed.

Changing steps in the method for producing a water absorbent resin composition is perceived that a person skilled in the art could have easily made the invention.

The subject matter of claim 15 is neither disclosed in any of the documents cited in the ISR nor obvious to a person skilled in the art.

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PCT REQUEST

Original (for SUBMISSION)

0	For receiving Office use only	
0-1	International Application No.	
0-2	International Filing Date	
0-3	Name of receiving Office and "PCT International Application"	
0-4	Form - PCT/RO/101 PCT Request	
0-4-1	Prepared Using	PCT-SAFE [EASY mode] Version 3.50 (Build 0002.158)
0-5	Petition The undersigned requests that the present international application be processed according to the Patent Cooperation Treaty	
0-6	Receiving Office (specified by the applicant)	Japan Patent Office (RO/JP)
0-7	Applicant's or agent's file reference	0405
I	Title of Invention	WATER ABSORBENT RESIN COMPOSITION AND PRODUCTION METHOD THEREOF
II	Applicant	
II-1	This person is:	applicant only
II-2	Applicant for	all designated States except US
II-4	Name:	NIPPON SHOKUBAI Co.,Ltd.
II-5	Address:	1-1, Koraibashi 4-chome, Chuo-ku Osaka-shi Osaka 5410043 Japan
II-6	State of nationality	JP
II-7	State of residence	JP
II-8	Telephone No.	06-6317-4280
II-9	Facsimile No.	06-6317-4290
II-11	Applicant's registration No. with the Office	000004628
III-1	Applicant and/or inventor	
III-1-1	This person is:	applicant and inventor
III-1-2	Applicant for	US only
III-1-4	Name (LAST, First)	ADACHI, Yoshifumi
III-1-5	Address:	
III-1-6	State of nationality	
III-1-7	State of residence	

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Original (for SUBMISSION)

III-2	Applicant and/or inventor	
III-2-1	This person is:	applicant and inventor
III-2-2	Applicant for	US only
III-2-4	Name (LAST, First)	KITANO, Takahiro
III-2-5	Address:	
III-2-6	State of nationality	
III-2-7	State of residence	
III-3	Applicant and/or inventor	
III-3-1	This person is:	applicant and inventor
III-3-2	Applicant for	US only
III-3-4	Name (LAST, First)	FUJINO, Shinichi
III-3-5	Address:	
III-3-6	State of nationality	
III-3-7	State of residence	
III-4	Applicant and/or inventor	
III-4-1	This person is:	applicant and inventor
III-4-2	Applicant for	US only
III-4-4	Name (LAST, First)	WADA, Katsuyuki
III-4-5	Address:	
III-4-6	State of nationality	
III-4-7	State of residence	
III-5	Applicant and/or inventor	
III-5-1	This person is:	applicant and inventor
III-5-2	Applicant for	US only
III-5-4	Name (LAST, First)	TORII, Kazushi
III-5-5	Address:	
III-5-6	State of nationality	
III-5-7	State of residence	
III-6	Applicant and/or inventor	
III-6-1	This person is:	applicant and inventor
III-6-2	Applicant for	US only
III-6-4	Name (LAST, First)	IWAMURA, Taku
III-6-5	Address:	
III-6-6	State of nationality	
III-6-7	State of residence	
III-7	Applicant and/or inventor	
III-7-1	This person is:	applicant and inventor
III-7-2	Applicant for	US only
III-7-4	Name (LAST, First)	MACHIDA, Sayaka
III-7-5	Address:	
III-7-6	State of nationality	
III-7-7	State of residence	

PCT REQUEST

Original (for SUBMISSION)

IV-1	Agent or common representative; or address for correspondence The person identified below is hereby/ has been appointed to act on behalf of the applicant(s) before the competent International Authorities as: IV-1-1 Name (LAST, First) IV-1-2 Address:	agent HARA, Kenzo HARAKENZO WORLD PATENT & TRADEMARK PATENT LAW FIRM, Daiwa Minamimorimachi Building, 2-6, Tenjinbashi 2-chome Kita, Kita-ku Osaka-shi Osaka 5300041 Japan
IV-1-3	Telephone No.	06-6351-4384
IV-1-4	Facsimile No.	06-6351-5664
IV-1-5	e-mail	kenzopat@mars.dti.ne.jp
IV-1-6	Agent's registration No.	100080034
V DESIGNATIONS		
V-1	The filing of this request constitutes under Rule 4.9(a), the designation of all Contracting States bound by the PCT on the international filing date, for the grant of every kind of protection available and, where applicable, for the grant of both regional and national patents.	
VI-1	Priority claim of earlier national application	
VI-1-1	Filing date	24 June 2003 (24.06.2003)
VI-1-2	Number	2003-180121
VI-1-3	Country	JP
VI-2	Priority claim of earlier national application	
VI-2-1	Filing date	19 September 2003 (19.09.2003)
VI-2-2	Number	2003-328635
VI-2-3	Country	JP
VII-1	International Searching Authority Chosen	Japan Patent Office (ISA/JP)

PCT REQUEST

Original (for SUBMISSION)

VIII	Declarations	Number of declarations	
VIII-1	Declaration as to the identity of the inventor	-	
VIII-2	Declaration as to the applicant's entitlement, as at the international filing date, to apply for and be granted a patent	-	
VIII-3	Declaration as to the applicant's entitlement, as at the international filing date, to claim the priority of the earlier application	-	
VIII-4	Declaration of inventorship (only for the purposes of the designation of the United States of America)	-	
VIII-5	Declaration as to non-prejudicial disclosures or exceptions to lack of novelty	-	
IX	Check list	number of sheets	electronic file(s) attached
IX-1	Request (including declaration sheets)	5	✓
IX-2	Description	126	-
IX-3	Claims	7	-
IX-4	Abstract	1	✓
IX-5	Drawings	2	-
IX-7	TOTAL	141	
	Accompanying Items	paper document(s) attached	electronic file(s) attached
IX-8	Fee calculation sheet	✓	-
IX-17	PCT-SAFE physical media	-	✓
IX-18	other:	Document on which the revenue stamps are affixed	
IX-19	Figure of the drawings which should accompany the abstract		
IX-20	Language of filing of the international application	English	
X-1	Signature of applicant, agent or common representative		
X-1-1	Name (LAST, First)	HARA, Kenzo	
X-1-2	Name of signatory		
X-1-3	Capacity		

PCT REQUESTOriginal (for **SUBMISSION**)**FOR RECEIVING OFFICE USE ONLY**

10-1	Date of actual receipt of the purported international application	
10-2	Drawings:	
10-2-1	Received	
10-2-2	Not received	
10-3	Corrected date of actual receipt due to later but timely received papers or drawings completing the purported international application	
10-4	Date of timely receipt of the required corrections under PCT Article 11(2)	
10-5	International Searching Authority	ISA / JP
10-6	Transmittal of search copy delayed until search fee is paid	

FOR INTERNATIONAL BUREAU USE ONLY

11-1	Date of receipt of the record copy by the International Bureau	
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PATENT COOPERATION TREATY

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From the INTERNATIONAL BUREAU

NOTIFICATION CONCERNING
SUBMISSION OR TRANSMITTAL
OF PRIORITY DOCUMENT

(PCT Administrative Instructions, Section 411)

Date of mailing (day/month/year) 29 September 2004 (29.09.2004)	
Applicant's or agent's file reference 0405	IMPORTANT NOTIFICATION
International application No. PCT/JP2004/009242	International filing date (day/month/year) 23 June 2004 (23.06.2004)
International publication date (day/month/year) Not yet published	Priority date (day/month/year) 24 June 2003 (24.06.2003)
Applicant NIPPON SHOKUBAI Co.,Ltd. et al	

1. By means of this Form, which replaces any previously issued notification concerning submission or transmittal of priority documents, the applicant is hereby notified of the date of receipt by the International Bureau of the priority document(s) relating to all earlier application(s) whose priority is claimed. Unless otherwise indicated by the letters "NR", in the right-hand column or by an asterisk appearing next to a date of receipt, the priority document concerned was submitted or transmitted to the International Bureau in compliance with Rule 17.1(a) or (b).
2. (If applicable) The letters "NR" appearing in the right-hand column denote a priority document which, on the date of mailing of this Form, had not yet been received by the International Bureau under Rule 17.1(a) or (b). Where, under Rule 17.1(a), the priority document must be submitted by the applicant to the receiving Office or the International Bureau, but the applicant fails to submit the priority document within the applicable time limit under that Rule, the attention of the applicant is directed to Rule 17.1(c) which provides that no designated Office may disregard the priority claim concerned before giving the applicant an opportunity, upon entry into the national phase, to furnish the priority document within a time limit which is reasonable under the circumstances.
3. (If applicable) An asterisk(*) appearing next to a date of receipt, in the right-hand column, denotes a priority document submitted or transmitted to the International Bureau but not in compliance with Rule 17.1(a) or (b) (the priority document was received after the time limit prescribed in Rule 17.1(a) or the request to prepare and transmit the priority document was submitted to the receiving Office after the applicable time limit under Rule 17.1(b)). Even though the priority document was not furnished in compliance with Rule 17.1(a) or (b), the International Bureau will nevertheless transmit a copy of the document to the designated Offices, for their consideration. In case such a copy is not accepted by the designated Office as priority document, Rule 17.1(c) provides that no designated Office may disregard the priority claim concerned before giving the applicant an opportunity, upon entry into the national phase, to furnish the priority document within a time limit which is reasonable under the circumstances.

<u>Priority date</u>	<u>Priority application No.</u>	<u>Country or regional Office or PCT receiving Office</u>	<u>Date of receipt of priority document</u>
24 June 2003 (24.06.2003)	2003-180121	JP	26 Augu 2004 (26.08.2004)
19 Sept 2003 (19.09.2003)	2003-328635	JP	26 Augu 2004 (26.08.2004)

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland Facsimile No. (41-22) 338.90.90	Authorized officer Patrick BLANCO (Fax 338 9090) Telephone No. (41-22) 338 8702
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